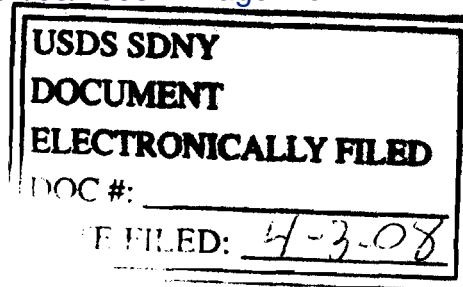


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



MICHAEL M. KOWNACKI

Petitioner,

v.

MORGAN STANLEY DW INC.

Respondent.

MORGAN STANLEY & CO., INC.,

Petitioner,

v.

MICHAEL M. KOWNACKI

Respondent.

Case No. 07-CV-7817 (JGK)

Case No. 07-CV-7836 (JGK)

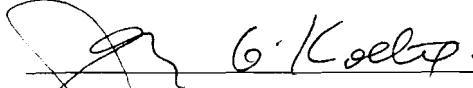
**[PROPOSED] ORDER DISMISSING
MOTION TO VACATE WITH
PREJUDICE AND CONFIRMING
ARBITRATION AWARD**

Upon consideration of the parties' Stipulation Dismissing Motion To Vacate With Prejudice And Requesting Confirmation of Arbitration Award, for good cause shown, it is hereby ORDERED that:

Michael M. Kownacki's petition to vacate and complaint are DISMISSED WITH PREJUDICE; and it is further ORDERED that;

Morgan Stanley's petition for confirmation of arbitration award is GRANTED and the June 6, 2007 New York Stock Exchange award in Mr. Kownacki's favor is CONFIRMED.

Dated: New York, New York
April 2, 2008



John G. Koeltl
United States District Judge